

Chapter 9.20**ALARM SYSTEMS**

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9.20.010 Purpose and scope.

The purpose of this chapter is to set forth regulations governing alarm systems, and to require licenses therefor. This chapter is not enacted pursuant to the power to license or tax business for revenue purposes. Any fee or charge authorized by this chapter is for the sole purpose of defraying the cost and expense of investigation of applicants for licensing or registration, processing of applications, issuance of licenses or registrations and regulation of the activities of the above mentioned alarm systems. (Ord. 492, 1982; 1991 code § 6-16.1)

9.20.020 Definitions.

As used in this chapter:

Alarm agent means any person employed as an agent or employee by an alarm business or the owner of such business and whose duties include altering, installing, maintaining, moving, repairing, replacing or servicing an alarm system, responding to an alarm system or the sale or leasing of an alarm system to the subscriber.

Alarm business means any business operated by a person or corporation for a profit which engages in the activity of altering, installing, responding to, leasing, maintaining, repairing, replacing, selling, or servicing an alarm system.

Alarm system means an assembly of equipment and devices arranged to signal the presence of a hazard requiring urgent attention.

Applicant means a person who files an application for a new or renewal license or registration as provided in this chapter.

Audible alarm means any alarm system which generates a sound which is designed to be perceptible outside the building wherein such device is installed.

Commercial alarm means an alarm installed on premises which are primarily used for one or more of the following:

A. Business providing sales, service or both;

B. Public agency or nonprofit entity or organization providing service to the general public. The term *commercial alarm* does not include any alarm installed on premises primarily used for residential purposes.

False alarm means the activation of an alarm system through mechanical failure, malfunction, improper installation or maintenance or the negligence of the owner, lessee or his or her employees or agents. Such terminology does not include, for example, alarms caused by hurricanes, tornadoes, earthquakes or other violent uncontrollable acts of nature.

Panic alarm means a manually activated switch (possibly portable and battery operated) which signals an alarm to the main alarm system and is activated by persons when a crime or personal harm is imminent.

Subscriber means any person, business or other entity which owns or is entitled to possession of any premises on which an alarm system has been installed.

Telephone number means and includes any additional numbers assigned by a public utility company engaged in the business of providing communications services and facilities to be used by means of a rotary or other system to connect with the subscriber to the primary number(s) when the number(s) are in use. (Amended during 2005 recodification; Ord. 492, 1982; 1991 code § 6-16.2)

9.20.030 License requirements.

A. Each alarm company doing business with any subscriber within the city limits must file a copy of their consumer affairs alarm operator's license with the Pleasant Hill police department. This licensing requirement must be on file not more than 10 days after the alarm business starts work within the city.

B. All alarm agents must have a current registration card provided by their alarm business in their possession when working in the city.

C. Each alarm business must have a current business license as required under PHMC Chapter 5.05. (Ord. 492, 1982; 1991 code § 6-16.3)

9.20.040 Registration.

A. Required. It shall be unlawful for any person to use, install or cause to be installed an alarm system on any premises without registering that alarm system with the police department at least 24 hours before the system is activated. Alarm systems installed in emergency situations for temporary use not to exceed 30 days may be registered at any time prior to activation.

B. Information required. The subscriber or alarm business acting on behalf of the subscriber shall provide in writing, on a form prescribed by the police department, the following information required for compliance of the alarm system requirements:

1. The name, address and telephone number of the alarm subscriber;
2. Name, address and telephone number of the alarm business installing the alarm (if known);
3. A description of the type of alarm system installed (i.e., contact/beam/sound), the location of the alarm contacts (i.e., perimeter, exterior), and the areas protected by that system (i.e., safe/cash register/vault);
4. A list of phone numbers and addresses (either provided by the subscriber or available for access through contact with the alarm business) of all people responsible for security of the premises who have authorized access to the premises and to the alarm system controls;
5. An alarm system shall have posted in a conspicuous place a sticker or markings identifying the alarm business and a 24-hour contact phone number if applicable.

C. Fee. A registration fee as set by city council resolution must be paid at the time of the submission of the alarm system registration. The fee is to be used for the processing and potential evaluation of the alarm system. The fee shall be a one-time charge.

D. Change of information. The subscriber shall notify the police department within 15 days of any changes in registration information.

E. Exceptions. The provisions of this registration requirement shall not be applicable to audible alarms affixed to motor vehicles, motor homes, travel trailers or boats. (Ord. 492, 1982; 1991 code § 6-16.4)

9.20.050 Examination and evaluation.

The police department may require examination of an alarm system prior to acceptance of an alarm system registration form. The city reserves the right to approve all systems and may, with cause, refuse to respond to an alarm if a commercial business or residence refuses examination or evaluation of the alarm system. (Ord. 625 § 3, 1989; Ord. 492, 1982; 1991 code § 6-16.5)

9.20.060 Certain sounds prohibited.

No alarm system shall be installed or used which emits a sound which is similar to that of an emergency vehicle siren or civil defense warning system. The police department or its representative shall make final determination in regard to any question about the sound emitted from an audible alarm. (Ord. 625 § 3, 1989; Ord. 492, 1982; 1991 code § 6-16.6)

9.20.070 Audible alarms – Automatic deactivation – Requirements.

All new audible alarm systems, including those alarms described in PHMC § 9.20.040.E, shall include a device which will limit the generation of the audible sound of the system to not longer than 15 minutes after the activation when the alarm system is protecting a residential structure or commercial structure. (Ord. 492, 1982; 1991 code § 6-16.7)

9.20.080 Backup power supply.

Any alarm system installed in a building after the effective date of the ordinance codified in this chapter, shall be supplied with an uninterruptable power supply so that the failure or interruption of the normal utility electric service will not activate the alarm system. The power supply must be capable of at least four hours of operation. (Ord. 492, 1982; 1991 code § 6-16.8)

9.20.090 Nonresponse.

A. The designation of nonresponse shall signify that the police department has decided to discontinue responding to a particular alarm system. This designation shall only be made upon one of the following findings:

1. An alarm system has transmitted more than eight false alarms within a 365-day period which resulted in police response;
2. An alarm system has been initiated for reasons or offenses other than probable burglaries or robberies; or
3. There have been repeated failures to comply with provisions of this chapter by the owner of property protected by an alarm system.

B. Prior to making a nonresponse designation, the police department shall give written notice to the owner of the property protected by the alarm of the reason for its intended action. The notice shall provide the owner an opportunity for a hearing before the police department makes the nonresponse designation. After a nonresponse designation has been made, a reinstatement to response status may occur upon a determination by the police department that the problem(s) which led to the nonresponse designation have been solved.

C. The police department shall notify in writing any subscriber who is deemed subject to the nonresponse status that, five days after receipt of notification, emergency units will no longer respond to the alarm system. (Ord. 625 § 8, 1989; Ord. 492, 1982; 1991 code § 6-16.10)

9.20.100 False alarm assessment.

A. A person who owns property protected by an alarm system is required to pay an assessment for false alarms resulting in police response under the following circumstances. During the first 30 days he or she is exempt from such assessment. Thereafter he or she shall pay an assessment for each false alarm if he or she experiences three or more within 30 days; four or more within 60 days; five or more within 90 days; or six or more within 365 days. For purposes of this section, any number of false alarms within a 24-hour period shall be deemed as one. The amount of the assessment shall be established by separate resolution.

B. The city is authorized to collect and sue any parties who have failed to pay any false alarm service assessments or comply with the provisions of this chapter. (Ord. 625 § 7, 1987; Ord. 492, 1982; 1991 code § 6-16.11)

9.20.110 Appeals.

A. Any subscriber, alarm agent, or alarm business, aggrieved by the action of the police department in denial, revocation, change of response, or service assessment fees may file a written appeal to the city manager within 30 days of notification of denial, revocation, or change of status of emergency unit response as notified by the police department. A fee shall be required for this appeal.

B. The city manager shall either deny or concur with the appeal within 30 days, and shall so advise the applicant in writing within that time period. The city manager may authorize the continuance of police response during the appeal process.

C. A subscriber, alarm agent or alarm business, filing an appeal with the city manager and receiving authorization for continued response during the appeal time period, shall agree to pay the service assessment fee for each false alarm during the appeal period.

D. The city council shall have the final decision on all appeals, providing the aggrieved party has filed a notice of appeal after denial by the city manager within 10 days. The city council's decision shall be final. (Ord. 492, 1982; 1991 code § 6-16.12)

9.20.120 Liability limitation.

The city shall be under no duty or obligation to subscribers or any other person by reason of any provisions of this chapter or privileges of a subscriber hereunder, including, but not limited to, any defects in the police alarm board or any delays in transmission or response to any alarm. (Ord. 492, 1982; 1991 code § 6-16.13)